

JAMES SINGER, )  
)  
Plaintiff, )  
)  
vs. ) Case No. 4:16 CV 1380 RWS  
)  
OFFICEMAX INC., et al., )  
)  
Defendants. )

This matter is before the Court on plaintiff's motion to extend mediation. Although plaintiff's motion is less than clear, he seems to indicate that defendants are refusing to even talk about who to designate as a mediator for this case until after plaintiff's deposition on April 6, 2017 and April 7, 2017. If this is true, defendants are violating my Order referring this case to alternative dispute resolution [11]. This case has already been referred to mediation, and defendants are required by that Order to meet and confer with plaintiff and select a mediator. They can choose a mediation date after April 7, 2017, if they want to take plaintiff's deposition before actually mediating this case, but they must meet and confer about who the mediator is going to be *now*. In fact, the mediator designation form is overdue according to my Order, but I will give plaintiff an extension of time, up to and including March 31, 2017, to file the designation

form. I expect defendants to comply with my referral Order by conferring with plaintiff so this deadline can be met. If, after the parties select a mediator, they determine that an extension of time is needed to complete the mediation, then they should file a joint motion to extend the mediation deadline.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion to extend mediation [15] is granted only as follows: plaintiff is granted an extension of time, up to and including **March 31, 2017**, to file the required designation of neutral/conference report form. In all other respects, the motion is denied without prejudice.

A handwritten signature in cursive script, appearing to read "Rodney W. Sippe", written over a horizontal line.

RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 17th day of March, 2017.